

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Reissue of U.S. Patent
No. 5,743,046**

Applicant(s):	Mark D. Siegler)	
	James S. Chang)	<u>EFS WEB EFILING</u>
	David J. Miller)	
)	
Application No.:	09/547,563)	
)	
Filed:	April 12, 2000)	
)	
Title:	JACK SHAFT GARAGE)	
	DOOR OPERATOR)	
)	
Group Art)	
Unit:	3634)	
)	
Examiner:	Redman, Jerry E.)	
)	

REISSUE DECLARATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants, MARK D. SIEGLER, JAMES S. CHANG, and DAVID J. MILLER hereby
declare that:

1. Each Applicant's respective residence, post office address and citizenship are stated below next to their name.
2. Applicants verily believe themselves to be the original, first and joint inventors of the subject matter which is described and claimed in U.S. Letters Patent No. 5,743,046 ("the '046 patent"), granted on April 28, 1998 and for which a reissue patent is sought on the invention entitled "Jack Shaft Garage Door Operator," the specification of which was filed on April 12, 2000 as reissue application number 09/547,563 and was amended on April 2, 2002.

3. Applicants have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any amendment referred to above.

4. Applicants acknowledge the duty to disclose information which is material to patentability of the present application in accordance with 37 C.F.R. §1.56.

5. The entire title of the '046 patent is vested in The Chamberlain Group, Inc.

6. There is no foreign application for patent or inventor's certificate on this invention filed by Applicants or our legal representatives or assigns having a filing date before that of any application on which priority is claimed.

7. Applicants believe the original '046 patent to be wholly or partly inoperative or invalid by reason of the patentee claiming less than patentee had a right to claim in the patent.

8. At least one error upon which reissue is based is that Applicants believe that the sole independent Claim 1 of the '046 patent is too narrow in that it refers to:

a pivotable arm mounted in proximity with the jack shaft and engaging the pull-up cable, said pivotable arm including a member for engaging the pull-up cable and holding it in tension, and means for engaging the jack shaft to prevent further jack shaft rotation when the pull-up cable becomes slack;

and the invention more broadly encompasses "a pivotable arm mounted in proximity with the jack shaft and engaging the pull-up cable, said pivotable arm including a member for engaging the pull-up cable and holding it in tension."

9. Applicants have therefore submitted new independent Claim 5, which mirrors independent Claim 1 except that it does not refer to "means for engaging the jack shaft to prevent further jack shaft rotation when the pull-up cable becomes slack," and new claims 6-9 and 16 which depend therefrom.

10. All errors in the present reissue application up to the time of signing this oath/declaration, or errors which are being corrected by a paper filed concurrently with this oath/declaration which correction of errors we have reviewed, arose without any deceptive intention on the part of Applicants.

11. All statements made herein of Applicants' own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature:



Date:

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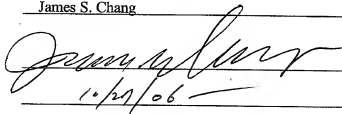
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Full name of sole or one
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Inventor's signature:



Date:

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